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1:25-cr-00194
Judge Jeffrey I Cummings
Magistrate Judge Gabriel A. Fuentes
RANDOM/CAT 4

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

[REDACTED],
LEROY GONZALEZ,
MARCELA KLUEY, and
SAMANTHA BARRERA

No.

Violations: Title 18, United States Code,
Sections 924(c)(1)(A), 1956(a)(1)(B)(i),
and 1956(h); Title 21, United States
Code, Sections 841(a)(1) and 846

UNDER SEAL

COUNT ONE

The SPECIAL APRIL 2024 GRAND JURY charges:

1. Beginning no later than in or about June 2020, and continuing until at least in or about June 2023, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

[REDACTED],
LEROY GONZALEZ,
MARCELA KLUEY, and
SAMANTHA BARRERA,

defendants herein, did conspire with each other, and with others known and unknown to the Grand Jury, to knowingly and intentionally possess with intent to distribute and distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II Controlled Substance, a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II

Controlled Substance, and a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1);

In violation of Title 21, United States Code, Section 846.

2. With respect to [REDACTED], LEROY GONZALEZ, and MARCELA KLUEY, the offense involved 40 grams or more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II Controlled Substance.

COUNT TWO

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about June 12, 2023, at Chicago, in the Northern District of Illinois,
Eastern Division,

LEROY GONZALEZ,

defendant herein, did knowingly and intentionally distribute a controlled substance,
namely, a quantity of a mixture and substance containing a detectable amount of
fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II
Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about June 30, 2023, at Chicago, in the Northern District of Illinois,
Eastern Division,

LEROY GONZALEZ and
MARCELA KLUEY,

defendants herein, did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 40 grams or more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II Controlled Substance, a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, and a quantity of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about June 30, 2023, at Chicago, in the Northern District of Illinois,
Eastern Division,

LEROY GONZALEZ and
MARCELA KLUEY,

defendants herein, did knowingly possess a firearm, namely, a Radikal Arms NK-1 12-gauge shotgun, bearing serial number 20RB-01704; a Rock Island Armory M1911-A1-FS 9mm semi-automatic pistol, bearing serial number RIA2535738; a Taurus G2C 9mm semi-automatic pistol, bearing serial number TLO86035; a Rohm RG .38 Special revolver, bearing serial number FF357828; a Century Arms Canik TP9 Elite SC 9mm semi-automatic pistol, bearing serial number CB50956; a Rock Island Armory M1911 9mm semi-automatic pistol, bearing serial number RIA2505338; a loaded Ruger LCP .380 semi-automatic pistol, bearing serial number 372039860; and a loaded a Smith & Wesson M&P 380 Shield pistol bearing serial number NKR7039, in furtherance of a drug trafficking crime for which defendants may be prosecuted in a Court of the United States, namely, conspiracy to possess with intent to distribute and distribute a controlled substance, in violation of Title 21, United States Code, Section 846, as charged in Count One of this Indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT FIVE

The SPECIAL APRIL 2024 GRAND JURY further charges:


1. At times material to this indictment:

a. Title 31, Code of Federal Regulations, Section 1010.100(ff) defined Money Services Business (“MSBs”) in part to include entities that transmit currency, funds, or other value that substitutes for currency to another location or person by or through an electronic funds transfer network.

b. Title 31, United States Code, Section 5326 and Title 31, Code of Federal Regulations, Section 1010.410(e), also known as the Record Keeping Rule, required non-bank financial institutions, including MSBs, to obtain and retain certain information related to the transmittal of funds of \$3,000 or more, including, but not limited to, the name and address of the transmitter and the recipient, the amount of the transmittal order, the execution date of the transmittal order, the identity of the recipient’s financial institution, and the account number of the recipient.

c. Western Union, MoneyGram, and Intermex were MSBs, as defined in subparagraph (a), and subject to the Record Keeping Rule described in subparagraph (b).

2. Beginning no later than in or about June 2020, and continuing until at least in or about June 2023, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

,
LEROY GONZALEZ,
MARCELA KLEUY, and
SAMANTHA BARRERA,

defendants herein, did knowingly conspire with each other, and with others known and unknown to the Grand Jury, to commit offenses in violation of Title 18, United States Code, Section 1956, namely:

a. to knowingly conduct a financial transaction involving proceeds of a specified unlawful activity, namely, the felonious buying, selling, and otherwise dealing in a controlled substance, knowing that the property involved in the transaction represented the proceeds of some form of unlawful activity, with the intent to promote the carrying on of the specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i);

b. to knowingly conduct a financial transaction affecting interstate and foreign commerce, which transaction involved the proceeds of specified unlawful activity, namely, the felonious buying, selling, and otherwise dealing in a controlled substance, knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of said specified unlawful activity, and that while conducting such financial transaction knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i);

c. to knowingly conduct a financial transaction affecting interstate and foreign commerce, which transaction involved the proceeds of specified unlawful activity, namely, the felonious buying, selling, and otherwise dealing in a controlled substance, knowing that the transaction was designed in whole and in part, to avoid a transaction reporting requirement under Federal law, namely, the Record Keeping Rule, and that while conducting and attempting to conduct such financial transaction knew that the funds involved in the financial transaction represented the proceeds of some form of unlawful activity in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii);

d. to transport, transmit, and transfer a monetary instrument and funds from a place in the United States to or through a place outside the United States, namely, Mexico, with the intent to promote the carrying on of a specified unlawful activity, namely, the felonious buying, selling, and otherwise dealing in a controlled substance, in violation of Title 18, United States Code, Section 1956(a)(2)(A); and

e. to transport, transmit, and transfer a monetary instrument and funds from a place in the United States to or through a place outside the United States, namely, Mexico, knowing that the monetary instrument and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity and knowing that such transportation, transmission, and transfer was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity,

namely, the felonious buying, selling, and otherwise dealing in a controlled substance,
in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i);

All in violation of Title 18, United States Code, Section 1956(h).

COUNT SIX

The SPECIAL APRIL 2024 GRAND JURY further charges:

On or about June 12, 2023, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

LEROY GONZALEZ and

,

defendants herein, did knowingly conduct a financial transaction affecting interstate commerce, namely, the transfer and delivery of approximately \$30,000 in United States currency, which involved the proceeds of a specified unlawful activity, namely, the felonious buying, selling, and otherwise dealing in a controlled substance, knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of said specified unlawful activity, and that while conducting such financial transaction, knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity;

In violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.

FORFEITURE ALLEGATION

The SPECIAL APRIL 2024 GRAND JURY further alleges:

1. Upon conviction of an offense in violation of Title 18, United States Code, Section 1956, as set forth in this Indictment, defendants shall forfeit to the United States of America any property involved in such offense, and any property traceable to such property, as provided in Title 18, United States Code, Section 982(a)(1).

2. Upon conviction of an offense in violation of Title 21, United States Code, Sections 841 and 846, as set forth in this Indictment, defendants shall forfeit to the United States of America any property which constitutes and is derived from proceeds obtained, directly and indirectly, as a result of the offense; and any property used, and intended to be used, in any manner and part, to commit and facilitate commission of the offense, as provided in Title 21, United States Code, Section 853(a)(2).

3. In addition, defendants shall forfeit to the United States of America, any firearm and ammunition:

a. involved in and used in any offense of conviction, as provided in Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c); and

b. found in the possession and under the immediate control of the defendant at the time of arrest, upon conviction of any offense for committing and attempting to commit any felony involving the use of threats, force, and violence, and perpetrated in whole or in part by the use of firearms, as provided in 18 U.S.C. § 3665.

4. As to [REDACTED], LEROY GONZALEZ, MARCELA KLUEY, and SAMANTHA BARRERA, the property to be forfeited includes a personal money judgment.

5. As to LEROY GONZALEZ and MARCELA KLUEY, the property to be forfeited includes the following specific property:

- a. a Radikal Arms NK-1 12-gauge shotgun, bearing serial number 20RB-01704, and associated ammunition;
- b. a Rock Island Armory M1911-A1-FS 9mm semi-automatic pistol, bearing serial number RIA2535738, and associated ammunition;
- c. a Taurus G2C 9mm semi-automatic pistol, bearing serial number TLO86035, and associated ammunition;
- d. a Rohm RG .38 Special revolver, bearing serial number FF357828, and associated ammunition;
- e. a Century Arms Canik TP9 Elite SC 9mm semi-automatic pistol, bearing serial number CB50956, and associated ammunition;
- f. a Rock Island Armory M1911 9mm semi-automatic pistol, bearing serial number RIA2505338, and associated ammunition; and
- g. a Ruger LCP .380 semi-automatic pistol, bearing serial number 372039860, and associated ammunition; and
- h. a Smith & Wesson M&P 380 Shield pistol bearing serial number NKR7039, and associated ammunition.

6. If any of the property described above, as a result of any act or omission by a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty, the United States of America shall be entitled to forfeiture of substitute property, as provided by Title 21, United States Code Section 853(p) and Title 18, United States Code, Section 982(b)(2).

A TRUE BILL:

FOREPERSON

Signed by Andrew C. Erskine on behalf of the
UNITED STATES ATTORNEY